



## The City of San Diego

### Staff Report

DATE ISSUED: October 19, 2021

TO: City Council

FROM: Office of Councilmember Raul A. Campillo, Council District 7  
Office of Council President Jennifer Campbell, Council District 2

SUBJECT: Proposed Amendments to Chapter 1, Article 1, Division 2 of the San Diego Municipal Code and Council Policies 000-01, 000-07, and 000-21 to Promote Inclusive Language

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Council District(s): Citywide

#### OVERVIEW:

San Diego city government represents, supports, and serves all residents throughout the City of San Diego. While the City acts on behalf of all San Diego residents, the current Municipal Code and Council Policies do not reflect the diversity of our people.

Inclusive language is defined as "language that avoids the use of certain expressions or words that might be considered to exclude particular groups of people, especially gender specific words".<sup>1</sup>

Council President Campbell and Councilmember Campillo believe that language matters, and thus the City must amend the current Municipal Code and Council Policies to promote inclusive language for all San Diegans.

#### PROPOSED ACTIONS:

The Offices of Councilmember Campillo and Council President Campbell are recommending that City Council adopt the following subitems:

Subitem A: Introduction of an ordinance amending Chapter 1, Article 1, Division 2 of the San Diego Municipal Code to require future Municipal Code amendments be drafted with inclusive language.

Subitem B: Adopt a resolution amending Council Policy 000-01, Council Policy 000-07, and Council Policy 000-21 to require that future amendments to Council Policies, regulatory legislation, and ballot proposals for City Charter amendments be drafted with inclusive language.

#### DISCUSSION OF ITEM:

The Council of the City of San Diego has historically amended its policies and codes to reflect societal changes and the needs of the people it serves. For example, the Council approved Ordinance Number O-

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<sup>1</sup> <https://www.dictionary.com/browse/inclusive-language>

17956 in 1993, which added "General Rules of Interpretation of Ordinances" to Chapter 1, Article 1, Division 2 of the Municipal Code. Specifically, this ordinance required that each gender in any ordinance must include the other gender to promote inclusivity and addressed the lack of representation for those who identify as female, at the time. It is time for the Council to move forward with amendments like these, to promote inclusivity of all San Diegans including our Nonbinary and Transgender residents.

In the last few years, we have seen anti-Transgender and anti-Nonbinary discrimination rise across our country. In February of 2021, 8 anti-Transgender and anti-Nonbinary bills were brought forward across 7 different states. These bills included anti-Transgender medical ban bills, anti-Transgender sports ban bills, an anti-Transgender bathroom bill, an anti-Transgender birth certificate bill, and an anti-Transgender religious refusal bill. Exclusivity, not inclusivity, is spreading in other states across the United States and we cannot let this rise here in San Diego.

Private companies, like Mastercard, have promoted inclusivity for their customer base. In June 2019 Mastercard introduced the TrueName™ card, which allowed customers to use their chosen name rather than their birth name. Just under a year later, Citi Bank became the first major bank to partner with Mastercard and utilize the TrueName™ card for their customers.

As of 2019, 11 states in addition to Washington, D.C. enacted policies which allowed for the issuance of third gender IDs. California began offering nonbinary birth certificates since the start of 2018 and introduced gender-neutral driver's licenses in 2019. The United States capital introduced "X" gender options on driver's licenses and identification cards in 2017. On June 30, 2021 the Biden Administration announced passport reforms to include gender 'X' marker, and removed anti-Transgender and anti-Nonbinary barriers, like eliminating the medical requirement for a person to change the gender marker on their passport and consular forms.

The United States House of Representatives approved the rules package for the 117<sup>th</sup> Congress in January of 2021, which introduced utilizing nonbinary, or non-gendered language, in official Congressional documents.

The Offices of Councilmember Campillo and Council President Campbell are recommending that City Council adopt Subitems A and B.

Fiscal Considerations: N/A

City Strategic Plan Goal(s)/Objective(s): Goal 3: Create and sustain a resilient and economically prosperous City with opportunity in every community. Objective: Diversify and grow the local economy.

Charter Section 225 Disclosure of Business Interests: N/A

Environmental Impact: This activity is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2), as this activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Equal Opportunity Contracting Information (if applicable): N/A

Previous Council and/or Committee Actions:

At the July 14, 2021 Rules Committee, the following motion was made:  
Motion by Vice Chair Campillo to direct the City Attorney's office to work with the offices of Council Districts 2 and 7 to draft amendments to the current Council Policies and Municipal Code to require future amendments to Council Policies, the Municipal Code, and City Charter use non-binary and non-gendered language to describe a person or group of people and to be brought back to the full Council for

approval. Second by Committee Member Whitburn. Passed by the following vote: Yea: Campbell, Campillo, Whitburn, von Wilpert, Cate.

Michael Simonsen

Chief of Staff, Council District 7

Venus Molina

Chief of Staff, Council District 2